

BALTIMORE CITY CIRCUIT COURT
Case Number: 24-O-13000-528

DOC. 44/0

IN THE CIRCUIT COURT FOR
BALTIMORE CITY

John E. Driscoll, III, et al.

Substitute Trustees, Plaintiffs

v.

Renee L. McCray

Defendant

Case Number: 24-O-13-000528

DEFENDANT'S MOTION TO HOLD CASE IN ABEYANCE

Defendant, Renee L. McCray, in the above referenced case hereby moves the Court to hold this case in abeyance until the United States Department of Justice investigates the pending Criminal Complaint filed by Defendant. In support of this Motion, Defendant states the following:

1. On Friday, September 18, 2015, Defendant filed a Criminal Complaint with the United States Department of Justice (DOJ). Defendant notified Rod J. Rosenstein, United States Attorney for the District of Maryland, Department of Justice of the felony crime that has been committed against Defendant and her property under Title 18 § 335. (See ANNEX 1 – Letter Dated September 18, 2015).
2. In the September 18, 2015 letter to the U.S. Attorney, Defendant enclosed an Affidavit of Criminal Complaint with Annexes A-E (hereinafter ANNEX 2, 2.1 – 2.5) showing that the Corporate Assignment of Deed of Trust assigned to Wells Fargo Bank, N.A. (ANNEX 2.1) was fabricated and is a felony crime under Title 18 § 335. Title 18 § 335 states:

Whoever, being a director, officer, or agent of a corporation created by Act of Congress, the charter of which has expired, or trustee thereof, or an agent of such trustee, or a person having in his possession or under his control the property of such corporation for the purpose of paying or redeeming its notes and obligations, knowingly issues, reissues, or utters as money, or in any other way knowingly puts in circulation any bill, note, check, draft, or other security purporting to have been made by any such corporation, or

by any officer thereof, or purporting to have been made under authority derived therefrom, shall be fined under this title or imprisoned not more than five years, or both. [Emphasis added].

3. The Corporate Assignment of Deed of Trust which Wells Fargo Bank, N.A. fabricated and assigned to itself is the same document Plaintiffs' are claiming makes them a secured party in this foreclosure action.
4. Defendant cited the violation of Title 18 in Defendant's Reply to Substitute Trustees Opposition to Motion for Reconsideration of Order Denying Defendant's Motion to Dismiss and Request for a Show Cause Hearing (Doc. 41/2). The Court, in its denial of Defendant's Motion, ignored Defendant's allegation of the criminal violation under Title 18 § 335.
5. Defendant asserts any attempt to take money, property or liberty under false pretenses is a crime. The Maryland Constitution prohibits the court from allowing taxpayers financial resources to be used in schemes of fraud, extortion and theft which is an abuse of honest judicial services. Any party in a position of authority that has notice of fraud and does not eradicate it, are complicit in the fraud and is aiding and abetting after the fact.
6. Defendant believes the Court erred by not investigating Defendant's claims that the Plaintiffs' have brought fraud on the Court and have committed a criminal offense under Title 18 U.S. Code § 335 – Circulation of Obligations of Expired Corporations by claiming the June 26, 2012 Corporate Assignment of Deed of Trust was valid when it was **Void Ab Initio**. Therefor, as stated above, Defendant reported the crime to the DOJ; and
7. Pursuant to Title 18 § 4 - Misprision of felony:

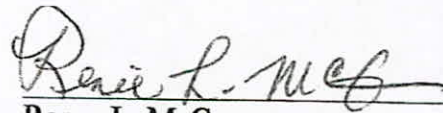
Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both. [Emphasis added].

8. Defendant is not waiving any of her rights to pursue her claims, which appears to include, extortion, slandered and clouded title, mail fraud, fraud on the court, and conspiracy to steal money, property and liberty.

WHEREFORE, Defendant continues to be harmed by Plaintiffs' illegal behavior and tortious conduct. Defendant moves the Court for an Order to hold this action in abeyance for at least 60 days to allow the United States Department of Justice to investigate and make a determination of the Title 18 violations based on Defendant's criminal complaint.

Entered this 2nd day of September, 2015

Respectfully submitted,



Renee L. McCray
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AFFIDAVIT

[MARYLAND RULE 2-311(d)]

I, Renee L. McCray, Defendant, does hereby certify under the penalties of perjury, that the facts which as set forth in this Motion to Hold Case in Abeyance are true and correct to the best of my information, knowledge and belief.



Renee L. McCray

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Motion to Hold Case in Abeyance was sent to the parties listed below by USPS First Class Mail on September 22, 2015 (see attached USPS mailing receipt).

JOHN E. DRISCOLL, III, et al
c/o SAMUEL I. WHITE, P.C.
ATTN: Kimberly B. Lane, Esquire
611 Rockville Pike, Suite 100
Rockville, MD 20852

Dated: September 22, 2015

A handwritten signature in cursive script, appearing to read "Renee L. McCray", written over a horizontal line.

Renee L. McCray

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